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IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 11, 2016

Senate Chamber

President Little called the Senate to order at 10 a.m.

Roll call showed all members present except Senators Davis and Lacey, absent and formally excused by the Chair; and President Pro Tempore Hill and Senators Buckner-Webb, Lakey, Lodge, McKenzie, Nuxoll, Siddoway, and Stennett, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Zoe Esplin, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 10, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

March 10, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 406](#), as amended, [H 443](#), as amended, and [H 540](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 406](#), as amended, [H 443](#), as amended, and [H 540](#) were filed for second reading.

March 11, 2016

The HEALTH AND WELFARE Committee reports out [H 523](#) and [H 533](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 523](#) and [H 533](#) were filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

March 10, 2016

Dear Mr. President:

I transmit herewith [H 575](#), [H 576](#), [H 577](#), [H 578](#), [H 579](#), [H 544](#), [H 536](#), and [H 553](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[H 575](#), [H 576](#), [H 577](#), [H 578](#), [H 579](#), [H 544](#), [H 536](#), and [H 553](#) were filed for first reading.

March 10, 2016

Dear Mr. President:

I return herewith [S 1368](#), which has failed to pass the House.

TAYLOR, Acting Chief Clerk

[S 1368](#) was ordered filed in the office of the Secretary of the Senate.

March 10, 2016

Dear Mr. President:

I return herewith [S 1365](#), [S 1366](#), [S 1367](#), [S 1369](#), [S 1280](#), as amended, [S 1320](#), and [S 1336](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[S 1365](#), [S 1366](#), [S 1367](#), [S 1369](#), [S 1280](#), as amended, [S 1320](#), and [S 1336](#) were referred to the Judiciary and Rules Committee for enrolling.

March 10, 2016

Dear Mr. President:

I transmit herewith Enrolled [HCR 32](#), [H 385](#), [H 335](#), [H 336](#), [H 337](#), [H 338](#), [H 339](#), [H 340](#), [H 391](#), [H 392](#), [H 428](#), [H 346](#), [HCR 29](#), [HCR 39](#), [HCR 40](#), [HCR 28](#), as amended, [HCR 47](#), [H 357](#), [H 386](#), [H 405](#), [H 373](#), [H 432](#), [H 374](#), [H 375](#), [H 431](#), [H 377](#), and [H 474](#) for the signature of the President.

TAYLOR, Acting Chief Clerk

The President signed Enrolled [HCR 32](#), [H 385](#), [H 335](#), [H 336](#), [H 337](#), [H 338](#), [H 339](#), [H 340](#), [H 391](#), [H 392](#), [H 428](#), [H 346](#), [HCR 29](#), [HCR 39](#), [HCR 40](#), [HCR 28](#), as amended, [HCR 47](#), [H 357](#), [H 386](#), [H 405](#), [H 373](#), [H 432](#), [H 374](#), [H 375](#), [H 431](#), [H 377](#), and [H 474](#) and ordered them returned to the House.

March 10, 2016

Dear Mr. President:

I return herewith Enrolled [S 1248](#), [S 1294](#), [S 1246](#), [S 1261](#), [S 1262](#), [S 1258](#), [S 1353](#), and [S 1298](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1248](#), [S 1294](#), [S 1246](#), [S 1261](#), [S 1262](#), [S 1258](#), [S 1353](#), and [S 1298](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1398

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR THE TRANSFER OF UNEXPENDED AND UNENCUMBERED MONEYS TO THE OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT AT THE END OF FISCAL YEAR 2016; PROVIDING LEGISLATIVE INTENT REGARDING THE LEVEL OF SERVICES THAT THE GEOLOGICAL SURVEY PROGRAM WILL PROVIDE IN EASTERN IDAHO; AND DECLARING AN EMERGENCY.

S 1399

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE STATE BOARD OF EDUCATION AND THE BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO FOR HEALTH EDUCATION PROGRAMS FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING APPROPRIATION OBJECT TRANSFER LIMITATIONS; AND PROVIDING NON-GENERAL FUND REAPPROPRIATION.

S 1400

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF LABOR FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; AND PROVIDING LEGISLATIVE INTENT FOR LOCAL DEPARTMENT OF LABOR OFFICES.

S 1401

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE DEPARTMENT FROM CERTAIN TRANSFER LIMITATIONS; AND PROVIDING REAPPROPRIATION AUTHORITY FOR CERTAIN BALANCES.

S 1402

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; APPROPRIATING AND TRANSFERRING MONEYS FROM THE REVOLVING DEVELOPMENT FUND TO THE AQUIFER PLANNING AND MANAGEMENT FUND; TRANSFERRING MONEYS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT

AND IMPLEMENTATION FUND; TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE SECONDARY AQUIFER PLANNING, MANAGEMENT AND IMPLEMENTATION FUND; TRANSFERRING MONEYS FROM THE GENERAL FUND TO THE MISCELLANEOUS REVENUE FUND FOR DEPOSIT TO THE PRIEST LAKE OUTLET SUBACCOUNT; AND PROVIDING LEGISLATIVE INTENT.

S 1403

**BY FINANCE COMMITTEE
AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISIONS OF CHILD WELFARE, SERVICES FOR THE DEVELOPMENTALLY DISABLED AND SERVICE INTEGRATION FOR FISCAL YEAR 2017; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING FOR GENERAL FUND TRANSFERS TO THE COOPERATIVE WELFARE FUND; DIRECTING EXPENDITURES FOR TRUSTEE AND BENEFIT PAYMENTS; PROVIDING LEGISLATIVE INTENT FOR PROGRAM INTEGRITY; CLARIFYING RESPONSIBILITY FOR EDUCATION OF CERTAIN CHILDREN IN STATE CARE; AND DIRECTING EXPENDITURES FOR HEAD START APPROPRIATIONS FROM TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

[S 1398](#), [S 1399](#), [S 1400](#), [S 1401](#), [S 1402](#), and [S 1403](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 575](#), [H 576](#), [H 577](#), [H 578](#), and [H 579](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 544](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 536](#) and [H 553](#), by State Affairs Committee, were introduced, read the first time at length, and referred to the Transportation Committee.

President Pro Tempore Hill and Senators Siddoway and Stennett were recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 351](#), by Resources and Conservation Committee, was read the second time at length and filed for third reading.

[H 514](#), by Education Committee, was read the second time at length and filed for third reading.

[S 1382](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[H 483](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 372](#), by Business Committee, was read the second time at length and filed for third reading.

[H 534](#) and [H 535](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[H 525](#), as amended, by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 531](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[S 1395](#), [S 1396](#), and [S 1397](#), by Finance Committee, were read the second time at length and filed for third reading.

[H 527](#), by Education Committee, was read the second time at length and filed for third reading.

[H 398](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 454](#), by Environment, Energy, and Technology Committee, was read the second time at length and filed for third reading.

[H 480](#) and [H 482](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 485](#) and [H 501](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1315](#), as amended, as amended, by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

Senators Nuxoll and Lakey were recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

Senator Buckner-Webb was recorded present at this order of business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [H 513](#), as amended, without recommendation, amended as follows:

SENATE AMENDMENT TO H 513, As Amended AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, in line 22, delete "security"; in line 35, delete "; and" and insert: ". "; and delete lines 36 through 38.

The Committee also has [S 1357](#), [S 1317](#), [S 1388](#), [H 382](#), and [H 371](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[H 513](#), as amended, as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

Senators McKenzie and Lodge were recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Thirteenth Order of Business.

Third Reading of Bills

[S 1332](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, Lacey. Total - 2.

Total - 35.

Whereupon the President declared [S 1332](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, [S 1387](#) retained its place on the third reading calendar for Monday, March 14, 2016.

[S 1360](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, Lacey. Total - 2.

Total - 35.

Whereupon the President declared [S 1360](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1377](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, Lacey. Total - 2.

Total - 35.

Whereupon the President declared [S 1377](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 396](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Davis, Lacey. Total - 2.

Total - 35.

Whereupon the President declared [H 396](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the third reading calendar, followed by Senate Finance bills, followed by House bills amended in the Senate, followed by House bills, followed by House Appropriations bills.

On request by Senator Winder, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

March 11, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 513](#), as amended, have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 513](#), as amended, as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11 a.m. until the hour of 10 a.m., Monday, March 14, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary